



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,677	04/29/2005	Marco De Luca	007511.00022	8657
22907 7590 01/05/2010 BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051				
EXAMINER				
PARK, JEONG S				
ART UNIT		PAPER NUMBER		
2454				
MAIL DATE		DELIVERY MODE		
01/05/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/533,677

Applicant(s)

DE LUCA ET AL.

Examiner

JEONG S. PARK

Art Unit

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 18-20 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-20 and 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/16/2009 has been entered.
2. This communication is in response to Application No. 10/533,677 filed on 4/29/2005. The amendment presented on 11/16/2009, which amends claims 1, 11, 13, 15, 18 and 22, and adds claim 24, is hereby acknowledged. Claims 1-16, 18-20 and 22-24 have been examined.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 1 is drawn toward a software tool, and a computer program which are merely software, per se. As such, software, per se does not establish a statutory category of invention.

Claims 2-16, 23, and 24, which are dependent on claim 1, are rejected for similar reasons as stated above.

Claim 22 is drawn toward computer readable storage medium, which could be a signal. The examiner suggests that applicant change it to non-transitory computer readable storage medium and change the specification also.

Correction is required.

Claim Rejections - 35 USC § 112

5. The amendment presented on 9/10/2009 amending claim 6 obviates the outstanding 35 USC 112 rejections, and they are hereby withdrawn.

Response to Arguments

6. Applicant's arguments filed 11/16/2009, with respect to claims 1-16, 18-20 and 22-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-11, 18-22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel et al. (hereinafter Siegel)(U.S. Pub. No. 2002/0143961 A1) in

view of Alonso et al. (hereinafter Alonso)(U.S. Patent No. 6,434,700 B1), and further in view of Federighi et al. (hereinafter Federighi)(U.S. Patent No. 6,085,197).

Regarding claim 1, Siegel teaches as follows:

A device (PMT server 10 in figure 1 and 2) configured to control access to databases (database 14 in figure 2, see, e.g., page 2, paragraph [0027]) storing personal profiles (PMT protocol controls access to each piece of data within a user profile, see, e.g., page 2, paragraph [0021]) by a plurality of remote entities (user 56, service provider 54 in figure 2) within a telecommunication network (network 50 in figure 2, see, e.g., page 2, paragraph [0027]) supporting a plurality of services, the device comprising:

a first plurality of databases (multiple databases, see, e.g., page 3, paragraph [0028]) and interfaces (UI logic 28, PMT protocol 12 and PMT server 10 in figure 1) for managing and centrally controlling access, from any of said remote entities to said first plurality of databases and to a second plurality of databases (see, e.g., page 2, paragraph [0024]), said interfaces comprising:

a plurality of application interfaces (UI logic 28 in figure 1) configured to allow access to the first and second plurality of databases by said plurality of remote entities (web devices 32 and WAP devices 30 in figure 1) and configured to manage different mechanisms for accessing databases (UI logic facilitates interactions between the deferent type of users with the PMT server, see, e.g., page 2, paragraph [0026]),

an authentication unit (authentication mechanism 19 in figure 2) configured to identify said remote entities (see, e.g., page 2, paragraph [0027]), and

an authorization unit configured to authorize said remote entities to use said adapters, by verifying essential requirements and the management of a corresponding authorization to use (getPermission operation, see, e.g., page 4, paragraph [0050]).

Siegel does not teach the account unit for tracking the accesses to databases.

Alonso teaches as follows:

A method and apparatus for allowing users to use computer networks with other authentication and authorization mechanism (see, e.g., col. 5, lines 46-57);

an Access Control Server (ACS) provides a central point of control for the management of multiple security services and network devices and provides Authorization, Authentication and Accounting (AAA server is well-known for one of ordinary skill in the art) functions for a managed network (see, e.g., col. 5, line 60 to col. 6, line 5); and

the user profile information includes authentication information and accounting information related to what the user has done or is doing can be stored in the relational database for billing and security auditing (see, e.g., col. 6, lines 22-29).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Siegel to include the accounting information by utilizing the well-known AAA functions as taught by Alonso in order to efficiently calculate the billing information based on the access information.

Siegel in view of Alonso do not teach of a first adapter of the plurality of adapters is customized to manage a first database typology and a second adapter, different from

the first adapter, is customized to manage a second database typology different from the first database typology.

Federighi teaches as follows:

Adaptor level (210 in figure 2) consists of an adaptor that translates database requests received from database level 220 to the correct syntax and format for the particular database 200 being accessed. For example, if database 200 is an Oracle database, an Oracle adaptor level 210 is used. If data base 200 is a Sybase database, a Sybase adaptor level 210 is used. In this way, every module above adaptor level 210 is database independent (see, e.g., col. 6, lines 55-67 and figure 2); and

the present invention includes multiple adaptor levels and multiple databases. In this embodiment, the object store consists of an object store coordinator (905 in figure 9), three different databases 940, 945, and 950, respectively, three corresponding adaptor levels 925, 930, and 935, respectively, and three corresponding database levels 910, 915, and 920, respectively. The three databases may be managed by different database management systems. For example, database 940 may be an Oracle database, database 945 may be a Sybase database, and database 950 may be another database. Object store coordinator 905 coordinates database requests received from editing context 900, decides which database corresponds to each request received, and sends the appropriate message to the appropriate database level, which, via the corresponding adaptor level, performs the database function requested (see, e.g., col. 11, lines 11-35 and figure 9).

Therefore, Federighi teaches one of plurality of adaptor levels (925, 930 and 935 in figure 9) is customized to manage different database management system (940, 945 and 950 in figure 9).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Federighi with Siegel in view of Alonso to include each adaptor level corresponding to each different database system in order to efficiently interface different type of databases.

Regarding claim 2, Siegel in view of Alonso and Federighi teach all the limitation of claim as presented above per claim 1.

Alonso further teaches as follows:

The ACS communicates with a relational database to simplify the storage of user profile information against which users are authenticated and the user profile information includes authentication information and accounting information related to what the user has done or is doing can be stored in the relational database for billing and security auditing (see, e.g., col. 6, lines 22-29).

Therefore, Alonso inherently teaches storing all user activity including access times and data exchanged during access.

Regarding claim 3, Siegel teaches as follows:

Plurality of services comprises Voice over IP or multimedia or internet services (the service provider may be an Internet service provider (ISP) which customers access via the Internet (see, e.g., page 3, paragraph [0029]).

Regarding claim 4, Federighi teaches as follows:

Each of the plurality of adapters (adaptor level 925, 930 and 935 in figure 9) allows access to the plurality of first and second databases (database 940, 945 and 950 in figure 9) independently from a technology of the particular database (adaptor level 210 consists of an adaptor that translates database requests received from database level 220 to the correct syntax and format for the particular database 200 being accessed. For example, if database 200 is an Oracle database, an Oracle adaptor level 210 is used. If data base 200 is a Sybase database, a Sybase adaptor level 210 is used. In this way, every module above adaptor level 210 is database independent, see, e.g., col. 6, lines 55-67 and figure 2).

Therefore it is rejected for similar reason as presented above in claim 1.

Regarding claim 5, Siegel teaches as follows:

The access to the application interfaces (UI logic 28 in figure 1) corresponds to at least one of a plurality of authorization contained in an XML descriptor (the UI logic facilitates interactions between the web devices (32 in figure 1) with the PMT server, see, e.g., page 2, paragraph [0026], wherein the web devices rely upon a web browser). Therefore, the UI logic supporting web browser inherently includes an XML descriptor.

Regarding claim 6, Siegel teaches as follows:

Each of the interfaces allows the access to one of the plurality of first and second databases via one of a trusted application interfaces and an untrusted application interface, wherein the trusted application interface is used wherein access is requested by an authorized applications, and wherein the untrusted application interface is used when access is requested by an unknown applications (UI logic facilitates interactions

between the deferent type of users with the PMT server, see, e.g., page 2, paragraph [0026]).

Regarding claims 7-10, Siegel teaches as follows:

Each of the interfaces allows the access to one of the plurality of first and second databases in a read mode (equivalent to read access), a write mode (equivalent to write access) or a search mode (equivalent to availability access)(type of access, see, e.g., page 3, paragraph [0033]).

Regarding claim 11, Siegel teaches as follows:

Each of the plurality of first databases includes user profile information (the user profile includes user name, see, e.g., page 3, paragraph [0031] and figure 4).

Regarding claims 18 and 22, Siegel in view of Alonso and Federighi teach all limitations of claim as presented above per claims 1 and 3.

Regarding claim 19, Siegel in view of Alonso and Federighi teach all limitations of claim as presented above per claim 1.

Regarding claim 20, Siegel in view of Alonso and Federighi teach all limitations of claim as presented above per claim 1.

Regarding claim 23, Siegel teaches as follows:

The second plurality of databases (multiple database can be interpreted as the applicant's second plurality of database, see, e.g., page 3, paragraph [0028]) is located separately from the device (database 14 in figure 2 is located separately from the server 10 in figure 2, see, e.g., figure 2).

Regarding claim 24, Federighi teaches as follows:

The first adapter is customized to manage only the first database typology and the second adapter is customized to manage only the second database typology (Object store coordinator 905 coordinates database requests received from editing context 900, decides which database corresponds to each request received, and sends the appropriate message to the appropriate database level, which, via the corresponding adaptor level, performs the database function requested, see, e.g., col. 11, lines 11-35 and figure 9).

Therefore, it is rejected for similar reason as presented above in claim 1.

9. Claims 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel et al. (hereinafter Siegel)(U.S. Pub. No. 2002/0143961 A1) in view of Alonso et al. (hereinafter Alonso)(U.S. Patent No. 6,434,700 B1) and Federighi et al. (hereinafter Federighi)(U.S. Patent No. 6,085,197), and further in view of Cai et al. (hereinafter Cai)(U.S. Pub. No. 2001/0016880 A1).

Regarding claims 12-15, Siegel in view of Alonso and Federighi teach all limitations of claim except for the user profile comprising service profile and terminal profile.

Cai teaches as follows:

User profile comprises identity, personal data, preferences, subscribed services and used terminals (user profile in figure 3, see, e.g., page 3, paragraph [0050]);
databases contain information characterizing a service in terms of service profile (service profile in figure 3, see, e.g., page 3, paragraph [0052]);

service profile comprises information characterizing the configuration of services for different users (see, e.g., page 4, paragraph [0062] and figure 8); and

databases contain information characterizing the terminals used in said multimedia and/or telecommunication service network (device profile in figure 3, see, e.g., page 3, paragraph [0051]).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Siegel in view of Alonso and Federighi to include a profile manager comprising a user profile, service profile and device profile as taught by Cai in order to efficiently provide proper service based on user and device profiles.

Regarding claim 16, Siegel teaches UI logic (28 in figure 1) supporting wireless users (36 in figure 1) equipped with WAP devices (30 in figure 1). Therefore Cai's device profile inherently includes applicant's static characteristic and dynamic characteristic of the WAP devices, wherein the static characteristic can be interpreted as a device ID and the dynamic characteristic can be interpreted as a current location as well-known for one of ordinary skill in the art.

Regarding claim 17, Siegel in view of Alonso, Federighi and Cai teach all limitations of claim as presented above per claims 1 and 16.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-

1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S. P./
Examiner, Art Unit 2454

December 16, 2009

***/NATHAN FLYNN/
Supervisory Patent Examiner, Art Unit 2454***